

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS'  
CONCUSSION INJURY LITIGATION

Kevin Turner and Shawn Wooden, on behalf of themselves  
and others similarly situated,

Plaintiffs,

v.

National Football League and NFL Properties LLC,  
successor-in-interest to NFL Properties, Inc.,

Defendants.

No. 2:12-md-02323-AB

MDL No. 2323

**Hon. Anita B. Brody**

CIVIL ACTION NO: 2:14-cv-  
00029-AB

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

**DECLARATION OF CHRISTOPHER A. SEEGER IN SUPPORT OF  
CO-LEAD CLASS COUNSEL'S MOTION FOR AN INJUNCTION PROHIBITING  
IMPROPER COMMUNICATIONS WITH THE CLASS BY  
JIM MCCABE AND NFL CASE CONSULTING, LLC**

CHRISTOPHER A. SEEGER declares, pursuant to 28 U.S.C. § 1746, based upon his personal knowledge, information and belief, the following:

1. Having been appointed as Co-Lead Class Counsel, I am fully familiar with the matters set forth herein, including the procedural history of this litigation and the class-wide Settlement that this Court approved on April 22, 2015 ("Settlement"). I submit this Declaration in support of Co-Lead Class Counsel's Motion for an Injunction Prohibiting Improper Communications with the Class by Jim McCabe and NFL Case Consulting, LLC.

2. Recently, I have become aware, both through direct Class Member email communications to me and through reports from the Claims Administrator, that certain

individuals employed by or affiliated with NFL Case Consulting, LLC have been contacting Class Members and allegedly making verbal misrepresentations concerning the Settlement.

3. On March 17, 2017, I received evidence of a written communication from NFL Case Consulting, LLC to a Class Member. Specifically, the Claims Administrator forwarded to me, counsel for the NFL Parties and members of the BAP Administrator's team, a cover email from a Retired NFL Football Player with an attached letter sent to that Class Member by Jim McCabe, Chief Executive Officer of NFL Case Consulting, LLC, located at 1855 Griffin Road, Suite B354, Dania Beach, Florida. The letter contained certain misrepresentations, as set forth in detail in the accompanying Memorandum submitted in support of this motion for an injunction. In the email, the Class Member expressed his desire to remain anonymous. Attached hereto as Exhibit A is a true and correct copy of the cover email and letter, with the Class Member's identity redacted on both documents.

4. Attached hereto as Exhibit B is a true and correct copy of the State of Delaware's Division of Corporations' Entity Details for NFL Case Consulting, LLC, reflecting an incorporation date of January 9, 2017.

5. Attached hereto as Exhibit C is a true and correct copy of the Florida Department of State, Division of Corporations' Fictitious Name Detail for Liberty Settlement Funding, listing a mailing address of 1855 Griffin Road, Suite B354, Dania Beach, Florida.

6. Attached hereto collectively, as Exhibit D, are true and correct copies of the Florida Department of State, Division of Corporations' Detail by Entity Name for Liberty Settlement Solutions, LLC, Liberty Settlement Solutions LLC, and Liberty Contingent Receivables, LLC, all at 1855 Griffin Road, Suite B354. The first two entities list the location as

being in Dania Beach and the last entity lists the location as being in Fort Lauderdale. Each Detail lists Marc Hermes and “James J.,” “Jim,” or “James” McCabe as the Authorized Persons.

7. Attached hereto as Exhibit E is a true and correct copy of a press release, dated August 14, 2015, by Liberty Settlement Funding, containing statements by Jim McCabe, Chief Executive Officer.

8. Attached hereto as Exhibit F is a true and correct of the website content for NFL Case Consulting, LLC.

9. Attached hereto as Exhibit G is a true and correct copy of the email, dated March 14, 2017, that was sent to me by someone purporting to be a Retired NFL Football Player who wants to remain anonymous. I have redacted the email address on the attached. This email, Exhibit G, was sent to me from the same email address as the email that was sent to the Claims Administrator, dated March 14, 2017, which is attached as Exhibit 1 to the accompanying Declaration of Claims Administrator, Orran L. Brown, Sr., being submitted in support of the instant motion. The email address on Exhibit G, however, is different from the email address on the email dated March 17, 2017, attached hereto as Exhibit A.

10. My office has attempted to contact, via email, the individual(s) at the email addresses on Exhibits A and G hereto to advise him/them of Co-Lead Class Counsel’s intent to file the instant motion and to request that he/they reconsider the decision to remain anonymous. I have not received a response as of this date.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 27, 2017

/s/ Christopher A. Seeger  
CHRISTOPHER A. SEEGER  
Co-Lead Class Counsel

# Exhibit A

**From:** John Smith [REDACTED]  
**Sent:** Friday, March 17, 2017 5:41 PM  
**To:** NFL Claims Administrator; [notices@nfl.com](mailto:notices@nfl.com); [clue@wsvn.com](mailto:clue@wsvn.com)  
**Subject:** Retired NFL Player Whistleblower

This company called me and some of my retired buddies down here in Florida representing themselves as calling from the NFL's case management department. They also have our social security number and date of birth. They're telling us that in order to register for the NFL concussion money they will send me a documents that needs to be signed. They told me that they will pay for my doctor diagnosis and travel up to \$10,000 and if I don't sign with them I won't get a settlement up to \$5 million per player they told me. The person that called me was named K.J. said he and his dudes call brain damaged players like myself all day long and on the weekends getting them to sign away 15% of their award by scamming them into thinking if they don't sign, their is no award and they are working for the NFL. Without signing they won't get their settlement and won't be in the class action. I found that to be a lie.

I got a letter that shows the scam operation is running out of Dania Beach Florida and the documents say NFL Case Consulting 600 Brickell Ave, #1900 Miami FL and a guy named Craig Sienema and Jim McCabe as CEO. When I called KJ back a guy answered the phone saying Liberty Settlement Solutions and not NFL but when I got tansferred to KJ he answered the phone by saying, this is KJ from NFLCC.

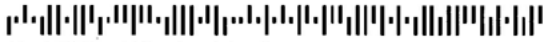
These guys should be arrest for fraud. How many innocent NFL retired players have they already scammed and who signed up with them. These snakes are prying on the sick and unfortunate retired players and should be stopped.

I wish to remain anonymous.





**NFLCASE**  
Consulting LLC



Dear

Did you know that you or your family may qualify for a portion of the NFL settlement?

If you played in the NFL, you may be entitled to settlement compensation of up to **\$5 Million Dollars**, but there is an urgent deadline approaching. Failure to sign up before this deadline means you will miss the opportunity to be part of this billion-dollar settlement forever!

**Even if you do not have symptoms, you may still qualify, but you must sign up before the deadline so call us right away!**

The registration and steps involved with filing an NFL concussion settlement claim is very complicated, but we are experts in claims management and will be with you every step of the way.

Call our team of NFL Settlement Experts at 1-855-285-4154 today to find out what you need to know and what you need to do before the deadline has passed.

Sincerely,

John E. Ebe

Jim McCabe  
Chief Executive Officer

1855 Griffin Road • Suite B354 • Dania Beach, Florida 33004

**1-855-285-4154**

# Exhibit B

Delaware.gov

Governor | General Assembly | Courts | Elected Officials | State Agencies



Department of State: Division of Corporations

[Allowable Characters](#)

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## Entity Details

**THIS IS NOT A STATEMENT OF GOOD STANDING**

<a href="#">File Number:</a>	<b>6277446</b>	<a href="#">Incorporation Date / Formation Date:</a>	<b>1/9/2017</b> (mm/dd/yyyy)
<a href="#">Entity Name:</a>	<b>NFL CASE CONSULTING, LLC</b>		
<a href="#">Entity Kind:</a>	<b>Limited Liability Company</b>	<a href="#">Entity Type:</a>	<b>General</b>
<a href="#">Residency:</a>	<b>Domestic</b>	State:	<b>DELAWARE</b>

**REGISTERED AGENT INFORMATION**

Name:	<b>THE CORPORATION TRUST COMPANY</b>		
Address:	<b>CORPORATION TRUST CENTER 1209 ORANGE ST</b>		
City:	<b>WILMINGTON</b>	County:	<b>New Castle</b>
State:	<b>DE</b>	Postal Code:	<b>19801</b>
Phone:	<b>302-658-7581</b>		

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

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# Exhibit C



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## Fictitious Name Detail

### Fictitious Name

LIBERTY SETTLEMENT FUNDING

### Filing Information

Registration Number G17000003977

Status ACTIVE

Filed Date 01/11/2017

Expiration Date 12/31/2022

Current Owners 1

County MULTIPLE

Total Pages 1

Events Filed NONE

FEI/EIN Number 47-2249839

### Mailing Address

1855 GRIFFIN RD SUITE B354  
DANIA BEACH, FL 33004

### Owner Information

HERMES, MARC  
1855 GRIFFIN RD SUITE B354  
DANIA BEACH, FL 33004  
FEI/EIN Number: NONE  
Document Number: NONE

### Document Images

[01/11/2017 -- Fictitious Name Filing](#)

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# Exhibit D



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## Detail by Entity Name

Florida Limited Liability Company  
LIBERTY SETTLEMENT SOLUTIONS, LLC

### Filing Information

Document Number	L11000093805
FEI/EIN Number	45-3005471
Date Filed	08/16/2011
Effective Date	08/15/2011
State	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	11/16/2016

### Principal Address

1855 Griffin Road  
B354  
Dania Beach, FL 33004

Changed: 03/20/2017

### Mailing Address

1855 Griffin Road  
B354  
Dania Beach, FL 33004

Changed: 03/20/2017

### Registered Agent Name & Address

HERMES, MARC B  
1328 Citrus Isle  
FORT LAUDERDALE, FL 33315

Name Changed: 11/16/2016

Address Changed: 11/16/2016

### Authorized Person(s) Detail

Name & Address

Title MGRM

HERMES, MARC

1855 Griffin Road  
B354  
Dania Beach, FL 33004

Title MGRM

MCCABE, JAMES J  
1855 Griffin Rd  
B354  
Dania Beach, FL 33004

#### Annual Reports

Report Year	Filed Date
2015	03/05/2015
2016	11/16/2016
2017	03/20/2017

#### Document Images

<a href="#">03/20/2017 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">11/16/2016 -- REINSTATEMENT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/05/2015 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/24/2014 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/23/2013 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">10/25/2012 -- LC Amendment</a>	<a href="#">View image in PDF format</a>
<a href="#">06/20/2012 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">08/16/2011 -- Florida Limited Liability</a>	<a href="#">View image in PDF format</a>



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## Detail by Entity Name

Foreign Limited Liability Company

LIBERTY SETTLEMENT SOLUTIONS LLC

### Filing Information

Document Number M15000004804

FEI/EIN Number 47-2249839

Date Filed 02/10/2015

State DE

Status ACTIVE

### Principal Address

1855 Griffin Rd  
Suite B354  
FT LAUDERDALE, FL 33304

Changed: 01/09/2017

### Mailing Address

1855 Griffin Rd  
Suite B354  
FT LAUDERDALE, FL 33304

Changed: 01/09/2017

### Registered Agent Name & Address

HERMES, MARC  
1855 Griffin Rd  
Suite B354  
FT LAUDERDALE, FL 33304

Address Changed: 01/09/2017

### Authorized Person(s) Detail

#### Name & Address

Title CEO

MCCABE, JIM  
1855 Griffin Rd  
Suite B354  
FT LAUDERDALE, FL 33304

## Title P

HERMES, MARC  
1855 Griffin Rd  
Suite B354  
FT LAUDERDALE, FL 33304

Annual Reports

Report Year	Filed Date
2016	07/08/2016
2017	01/09/2017

Document Images

<a href="#">01/09/2017 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">07/08/2016 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/10/2015 -- Foreign Limited</a>	<a href="#">View image in PDF format</a>

Florida Department of State, Division of Corporations



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## Detail by Entity Name

Florida Limited Liability Company

LIBERTY CONTINGENT RECIEVABLES, LLC

### Filing Information

Document Number L14000075293

FEI/EIN Number 46-5608506

Date Filed 05/08/2014

State FL

Status ACTIVE

### Principal Address

1855 Griffin Rd  
Suite B354  
FORT LAUDERDALE, FL 33304

Changed: 01/09/2017

### Mailing Address

1855 Griffin Rd  
Suite B354  
FORT LAUDERDALE, FL 33304

Changed: 01/09/2017

### Registered Agent Name & Address

HERMES, MARC  
1855 Griffin Rd  
Suite B354  
FORT LAUDERDALE, FL 33304

Address Changed: 01/09/2017

### Authorized Person(s) Detail

#### Name & Address

Title AMBR

HERMES, MARC B  
1855 Griffin Rd  
Suite B354  
FORT LAUDERDALE, FL 33304



Title AMBR

MCCABE, JAMES  
1855 Griffin Rd  
Suite B354  
FORT LAUDERDALE, FL 33304

Annual Reports

Report Year	Filed Date
2015	03/05/2015
2016	07/08/2016
2017	01/09/2017

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<a href="#">03/05/2015 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">05/08/2014 – Florida Limited Liability</a>	<a href="#">View image in PDF format</a>

# Exhibit E



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Why Liberty Settlement Funding



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## Liberty Settlement Funding Closes on \$100 Million Dollars of Secured Financing

August 14, 2015

Fort Lauderdale, FL, August 14, 2015 – Liberty Settlement Funding, a leading purchaser of structured settlement and annuity payment rights, is pleased to announce that it has recently closed on \$100 million dollars of secured financing.

The new capital will be used to support various business units including both the structured settlement and lottery divisions.

Jim McCabe, Chief Executive Officer at Liberty Settlement Funding, commented, “We are very pleased to have secured this financing and look forward to using it to expand our current operations. Our customers use their money for a variety of reasons: to buy houses and make home improvements, pay off high interest debts, make smart investments, and build new lives for themselves. With this financing, we will be able to help even more individuals achieve their financial goals.”

Marc Hermes, President of Liberty Settlement Funding, commented, “This financing will allow us to continue to grow and expand. We will now have access to resources that will help improve our overall customer experience and allow us to explore new ways to find financial solutions for our clients.”

### About Liberty Settlement Funding

Liberty Settlement Funding is a specialty finance company that purchases structured settlements, annuities, and lottery winnings in the secondary market. Headquartered in Fort Lauderdale, Liberty applies its unique underwriting expertise, best in class customer service and robust financial resources to provide its customers with the financial freedom they eagerly seek. With over 100 years of collective industry experience, Liberty is an industry leader in tailoring financial solutions to its customers’ needs while also expanding its suite of financial products.



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# Exhibit F



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Consulting LLC

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NFL Case Consulting, LLC is an award winning company with a reputation for consistent innovation at the highest level of claims.



## Our NFL Settlement Claim Assistance





# Experts are waiting for your call

A Settlement of a class action lawsuit was reached with the NFL and NFL Properties and retired NFL players, their representatives and family members. The retired NFL players sued, accusing the NFL of not warning players and hiding the damages of brain injury.

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# Exhibit G

**From:** [REDACTED]  
**Date:** March 14, 2017 at 9:39:12 PM CDT  
**To:** <[cseeger@seegerweiss.com](mailto:cseeger@seegerweiss.com)>  
**Subject:** NFL PLAYER WHISTLEBLOWER

Hello, I am a former NFL player who wishes to remain anonymous. Recently got a call from a company called, [www.nflcaseconsulting.com](http://www.nflcaseconsulting.com) from a very rude gentlemen Andrew Schneider 954-271-1267 who told me that his company is acting in an official capacity and that I should sign an agreement and go to his doctor for diagnosis. It sounds like Andrew is running a scam operation and interfering with the settlement agreement. I found this website [www.justicefunds.com](http://www.justicefunds.com) Andrew said he represents but cannot find anything more about this company. He said that he has already signed up (or scammed) several players who as he put it "are half wits and brain damaged". This company needs to be shut down, Andrew sounds like he's on drugs.